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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,818	07/10/2001	Arpad Pirovic	P-2405	7861

7590

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Paul A. Fattibene
Fattibene & Fattibene
2480 Post Road
Southport, CT 06490

EXAMINER

MCCAMEY, ANN M

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/901,818

Applicant(s)

PIROVIC, ARPAD

Examiner

Ann M McCamey

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

The formal drawings were received on 7/10/02. These drawings are acceptable.

Claim Objections

Claims 1, 2, 5 and 10 are objected to because the term "increasing" is relative, and requires a reference point not currently recited in the claims.

Claim 5 is objected to because of the following informalities: "a cup support attach to" should be --a cup support attached to--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art ("A.A.P.A.") in view of Sakoske et al. (US 5,686,795).

Regarding claim 1, A.A.P.A. discloses a fluorescent tanning lamp. A.A.P.A. does not disclose the particular structure of the lamp. Sakoske et al. teach a fluorescent lamp comprising:

a fluorescent tube 12;

an electrode 16 placed within an end of said fluorescent tube;
an electrode support 36 holding said electrode;
a stem 28 holding said electrode support within said fluorescent tube; and
a cup 22 having an open end opposite said electrode and positioned to surround said electrode, said cup being electrically isolated from said electrode, whereby said cup shields said electrode increasing the service life of the fluorescent tanning lamp.

It would have been obvious to one having ordinary skill in the art to modify the tanning lamp of A.A.P.A. with the structure that Sakoske et al. teach for a fluorescent lamp to reduce end darkening.

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over A.A.P.A. in view of Will et al. (US 4,891,551).

Regarding claim 2, A.A.P.A. discloses a fluorescent tanning lamp. A.A.P.A. does not disclose the particular structure of the lamp. Will et al. teach a fluorescent lamp comprising:

a fluorescent tube 1;
an electrode 6 placed within said fluorescent tube;
an electrode support 7 holding said electrode;
a stem 12 holding said electrode support within said fluorescent tube; and
a cup 9 having an open end opposite said electrode and positioned to surround said electrode, said cup being held by said electrode support.

Regarding the limitation, "whereby said cup shields said electrode and causes heat to be dissipated through said electrode support increasing the service life of the fluorescent tanning lamp," the structure provided inherently suggests the function.

It would have been obvious to one having ordinary skill in the art to modify the tanning lamp of A.A.P.A. with the structure that Will et al. teach for a fluorescent lamp to reduce lamp power dissipation.

Regarding claim 3, Will et al. teach said cup electrically coupled to said electrode support.

Regarding claim 4, Will et al. teach a bracket 10, one end of said bracket attached to said cup and another end of said bracket attached to said electrode support.

Claims 2-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over A.A.P.A. in view of Nieda (US 5,214,351).

Regarding claim 2, A.A.P.A. discloses a fluorescent tanning lamp. A.A.P.A. does not disclose the particular structure of the lamp. Nieda teaches a fluorescent lamp comprising:

- a fluorescent tube 1;
- an electrode 6a placed within said fluorescent tube;
- an electrode support holding said electrode;
- a stem holding said electrode support within said fluorescent tube; and
- a cup 5 having an open end opposite said electrode and positioned to surround said electrode, said cup being held by said electrode support.

Regarding the limitation, "whereby said cup shields said electrode and causes heat to be dissipated through said electrode support increasing the service life of the fluorescent tanning lamp," the structure provided inherently suggests the function.

It would have been obvious to one having ordinary skill in the art to modify the tanning lamp of A.A.P.A. with the structure that Nieda teaches for a fluorescent lamp to prolong the life of the electrode.

Regarding claim 3, Nieda teaches said cup is electrically coupled to said electrode support.

Regarding claim 4, Nieda teaches a bracket 11, one end of said bracket attached to said cup and another end of said bracket attached to said electrode support.

Regarding claim 5, A.A.P.A. discloses a fluorescent tanning lamp. A.A.P.A. does not disclose the particular structure of the lamp. Nieda teaches a fluorescent lamp comprising:

- a fluorescent tube 1;

- an electrode 6a placed within said fluorescent tube;

- a stem attached to said fluorescent tube;

- an electrode support held in said stem;

- lead wire 3 connected to said electrode support;

- a cup 5 having a bottom end and an open end opposite the bottom end, said cup positioned to substantially surround said electrode; and

a cup support 11 attached to the bottom of said cup and said electrode support, whereby said cup is electrically and thermally coupled to said electrode support and said lead wire.

Regarding the limitation, "whereby said cup shields said electrode and causes heat to be dissipated increasing the service life of the fluorescent tanning lamp," the structure provided inherently suggests the function.

It would have been obvious to one having ordinary skill in the art to modify the tanning lamp of A.A.P.A. with the structure that Nieda teaches for a fluorescent lamp to prolong the life of the electrode.

Regarding claim 6, Nieda discloses said cup support comprises an L-shaped bracket.

Regarding claim 7, Nieda discloses the L-shaped bracket has a width substantially greater than a diameter of said electrode support.

Regarding claim 8, Nieda discloses said cup, said cup support, and said electrode support are electrical conductors.

Regarding claim 9, Nieda discloses said cup is cylindrical with a diameter and the open end is open over substantially the entire diameter.

Regarding claim 10, A.A.P.A. discloses a fluorescent tanning lamp. A.A.P.A. does not disclose the particular structure of the lamp. Nieda teaches a fluorescent lamp comprising:

a tube 1 coated with phosphor having two ends;

a pair of electrodes 6a, one of said pair of electrodes placed in each of the two ends of said tube;

a pair of electrode supports each having a diameter and holding each of said pair of electrodes;

a pair of stems, one each of said pair of stems attached to one of the two ends of said glass tube and holding a respective one of said pair of electrode supports;

a pair of lead wires 3 coupled to each of said pair of electrode supports;

a pair of cups 5 each having a bottom with a slot therein adapted to pass through a respective one of said pair of electrode supports and having an open end opposing the slot, each one of said pair of cups positioned to surround a respective one of said pair of electrodes;

a pair of L-shaped cup supports 11 having a width substantially greater than the diameter of each of said pair of electrode supports, one each of said pair of cup supports attached to the bottom of a respective one of said pair of cups and one of said pair of electrode supports, whereby each of said pair of cups is held in position encircling one of said pair of electrodes and is electrically and thermally coupled to one of said pair of electrode supports; and

an emissive material placed on each of said pair of electrodes.

Regarding the limitation, "whereby said pair of cups act as an electrode shield and heat sink increasing service life of the fluorescent tanning lamp," the structure provided inherently suggests the function.

It would have been obvious to one having ordinary skill in the art to modify the tanning lamp of A.A.P.A. with the structure that Nieda teaches for a fluorescent lamp to prolong the life of the electrode.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ann M McCamey whose telephone number is (703) 305-3422. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

AMM
March 6, 2003


RENEE LUEBKE
PRIMARY EXAMINER